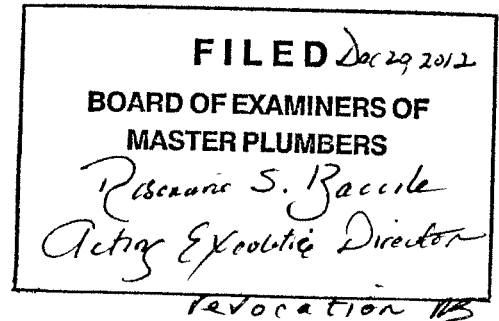


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF MASTER PLUMBERS

Mis reviewed 2/2/13

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Administrative Action

VINCENT A. AUFIERO
License No. 36BI006536

FINAL ORDER
OF DISCIPLINE

TO PRACTICE PLUMBING
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers ("Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Vincent A. Aufiero ("respondent") was licensed as a master plumber in the State of New Jersey on February 1, 1982 and has been a licensee at all times relevant hereto.
2. On July 24, 2009, respondent was convicted in the Superior Court of New Jersey, Somerset County, of four (4) counts of Official Misconduct in the second degree (N.J.S.A. 2C:30-2a), one (1) count of Identity Theft in the third degree (N.J.S.A. 2C:21-17a(4)), one (1) count of Insurance Fraud in the third degree (N.J.S.A. 2C:21-4.6a), and one (1) count of Engaging in a Pattern of Official Misconduct in the second degree (N.J.S.A. 2C:30-7a). Respondent was sentenced to eight (8) years in New Jersey State Prison on the four counts of Official Misconduct and the Engaging in a Pattern of Official Misconduct charge. Respondent was sentenced to four (4) years on the Identity Theft charge, and four (4) years on the Insurance Fraud charge.

Respondent's sentence is to run concurrent on all of the counts. Additionally, respondent was ordered to pay \$45,995.63 in restitution to the Somerville Board of Education.

3. According to the "Statement of Reasons", which is attached to the Judgment of Conviction and Order for Commitment, respondent was employed as the Supervisor of School Plant Facilities for the Somerville Board of Education. Between 2000 and 2007, respondent used Somerville Board of Education Funds to make purchases for his own personal use. The purchases totaled approximately \$46,000.00. Specifically, respondent purchased \$9,000.00 worth of cabinets which he installed in his personal residence; purchased several water heaters, boilers, furnaces and various supplies totaling over \$9,200.00 which were not used by the school district and purchased a residential custom sink, valued at \$1,170.00, which he installed in his home. Additionally, respondent submitted cost quotes for work projects to the Board of Education under the name "Mechanical Piping Services". Respondent failed to disclose that he is a principal of "Mechanical Piping Services". Respondent was paid \$26,504.88 by the school district, but failed to complete all of the work. Finally, between January 23, 2003 and January 14, 2006, respondent obtained a New Jersey driver's license using his brothers name and then used the fake license to obtain motor vehicle insurance.

4. During his sentencing, respondent admitted that while employed as a supervisor in the maintenance department for the Somerville Board of Education, he used an issued credit card, which was intended for official purchases, to purchase cabinets, sinks and other supplies for private homes that he was remodeling. Additionally, respondent admitted that although he was required to divulge his interest in "Mechanical Piping", he failed to do so. As a result, the Board of Education was not aware that respondent personally benefitted from the work performed by "Mechanical Piping". Finally, respondent admitted that he applied for insurance in the name of his brother, and used his identity, in order to obtain a lower premium on automobile insurance.

CONCLUSIONS OF LAW

1. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(b), in that respondent's conviction, as well as his repeated misuse of public funds while employed as the Supervisor of School Plant Facilities for the Somerville Board of Education, and his conduct in obtaining automobile insurance using a false identity, represents the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense. Additionally, these facts establish a basis for disciplinary action,

pursuant to N.J.S.A. 45:1-21(e) in that respondent has engaged in professional and occupational misconduct as determined by the Board. Finally, these facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(f), in that respondent has been convicted of multiple crimes involving moral turpitude and which relate adversely to the activity regulated by the Board.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 24, 2010. On August 27, 2012 an investigator with the Enforcement Bureau of the New Jersey Division of Consumer Affairs, served a copy of the Provisional Order of Discipline upon Lisa Aufiero, respondent's wife, at respondent's address of record. Ms. Aufiero accepted service by signing and dating a copy of the Provisional Order of Discipline. The Provisional Order of Discipline was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for considerations and reasons therefor.

Respondent failed to provide a response to the Provisional Order of Discipline. Since the Provisional Order of Discipline was served at respondent's address of record, the Board deems service to have been effected. Accordingly, it was determined that further proceedings were not necessary and that the Provisional Order of Discipline should be made final

ACCORDINGLY, IT IS on this 20 day of ~~December~~ 2012,
ORDERED that:

1. Respondent's license to practice plumbing in the State of New Jersey is hereby revoked. ✓

NEW JERSEY STATE BOARD OF
EXAMINERS OF MASTER PLUMBERS

By: Peter I. Voros
Peter I. Voros
Board Chairman